

Appl. No. 09/900,701  
Amtd. Dated October 7, 2004  
Reply to Office Action of July 7, 2004

Attorney Docket No. 81876.0022  
Customer No. 26021

### **REMARKS**

This application has been carefully reviewed in light of the Final Office Action dated July 7, 2004. Claims 3-12 remain in this application. Claims 3, 7, and 11 are the independent claims. Claims 1 and 2 have been cancelled without prejudice. It is believed that no new matter is involved in the amendments or arguments presented herein. Reconsideration and entrance of the amendment in the application are respectfully requested.

### **Art-Based Rejections**

Claims 1-12 were rejected under 35 U.S.C. §102(e) over Pitts (USPN 2001/0031631 A1). Applicant respectfully traverses the rejection and submits that the claims herein are patentable in light of the clarifying arguments below.

### **The Pitts Reference**

Pitts is directed to a system for an establishment, such as a hospital or theater, that prevents unwanted communications within an area. This system provides a low-power base station, which would control mobile communications within a specific range. Moreover, this system allows operators of the base station to set limits on audible communications within its immediate area. (*See, Pitts, Figure 5; Col. 5, lines 26-31*).

### **The Claims are Patentable Over the Cited Reference**

The present application is generally directed to a portable information apparatus having communication tools.

As defined by amended independent Claim 3, a portable information apparatus having communications tools includes a wireless transmission/reception section for transmitting to and receiving from an external wireless transmitter/receiver electromagnetic signals. An operation section for performing

various operations is provided. A display section is provided for displaying status of the operations made by the operation section including the status and results of transmission/reception operations made by the wireless transmission/reception section. A control section is connected with the wireless transmission/reception section, operation section, and display section for controlling overall actions of the portable information apparatus. The portable information apparatus includes a reception means, within or outside the wireless transmission/reception section, for receiving a communication prohibition signal and/or a communication permission signal transmitted from an external facility, and for enabling/disabling the transmission functions of the wireless transmission/reception section upon receipt of the communication prohibition signal and/or the communication permission signal.

The applied reference does not disclose or suggest the above features of the present invention as defined by independent Claim 3. In particular, the applied reference does not disclose or suggest "reception means for receiving a communication prohibition signal and/or a communication permission signal transmitted from an external facility," as required by independent Claim 3. Moreover, the applied reference does not disclose or suggest "reception means for enabling/disabling said transmission functions of said wireless transmission/reception section upon receipt of said communication prohibition signal and/or said communication permission signal," as required by independent Claim 3.

The Office Action purports, on page 4, that Pitts discloses a reception means for receiving a communication prohibition signal and/or a communication permission signal, where "deactivate" and "re-enable" are prohibition and permission signals. However, the object of Pitts is to keep personal communication devices, such as cellular phones, from ringing, to limit the audible communications using personal communication devices, and to allow silent communications in a

limited range where the silence should be kept, e.g. in a music hall or court. (*See, Pitts, Page 3, paragraphs 45-54*). Pitts is specifically directed to deactivating audible signals while still allowing silent communications in place of audible communications. Pitts utilizes silent communications where incoming messages can be still received and responded to with text messages. Thus, communications, including the transmission of electromagnetic waves, are continuously being allowed without interruption, which means that communications are not being stopped. Therefore, Pitts is not concerned with enabling or disenabling transmission or communication functions as required by independent Claim 3 of the present invention.

In contrast, the object of the present invention is directed to stopping communications, including transmission functions of electromagnetic waves, while maintaining information processing functions of a portable information apparatus, such as a cellular phones. Another object of the present invention is directed to reducing the influence of portable information apparatus have on other devices, such as cardiac pace makers, that can fail under strong ambient electromagnetic waves in the places, such as public facilities.

Since the applied reference does not disclose or suggest the above features recited in independent Claim 3, this reference cannot be said to anticipate nor render obvious the invention which is the subject matter of that claim.

Applicant respectfully submits that independent Claims 7 and 11 are similarly allowable for at least some of the same reasons discussed in connection with independent Claim 3.

Accordingly, independent Claims 3, 7 and 11 are believed to be in condition for allowance and such allowance is respectfully requested.

The remaining claims depend either directly or indirectly from amended independent Claims 3, 7 and 11 and recite additional features of the invention

Appl. No. 09/900,701  
Amdt. Dated October 7, 2004  
Reply to Office Action of July 7, 2004

Attorney Docket No. 81876.0022  
Customer No. 26021

which are neither disclosed nor fairly suggested by the applied references and are therefore also believed to be in condition for allowance.

Appl. No. 09/900,701  
Amdt. Dated October 7, 2004  
Reply to Office Action of July 7, 2004

Attorney Docket No. 81876.0022  
Customer No. 26021

**Conclusion**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

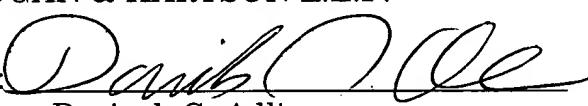
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6809 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: October 7, 2004

By:   
Dariush G. Adli  
Registration No. 51,386  
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900  
Los Angeles, California 90071  
Phone: 213-337-6700  
Fax: 213-337-6701